

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

IN RE: CEDRIC M. GILLETTE

CASE NO. 94-02341
CHAPTER 13

Debtor.

CEDRIC M. GILLETTE,

Plaintiff,

vs.

ADV CASE NO.95-9006

MARTHA MARIE GILLETTE

Defendant.

JUDGMENT TO SELL PROPERTY

THIS CAUSE came before the Court for entry of a Final Judgment on the Complaint to Sell Property by the Plaintiff/Debtor, Cedric M. Gillette. The Plaintiff obtained an Order Authorizing Service By Publication to effect service of process upon the Defendant, Martha Marie Gillette. The Plaintiff certified that a copy of the summons and complaint was served upon the Defendant according to the Order and further proof of publication has been filed with this Court. The Defendant has not responded and a default has been duly entered by the Clerk of this Court. The Court finds the property is property of the Bankruptcy estate and is subject to sale. It is therefore,

CLERK
BANKRUPTCY COURT
NORTH/DIST-FLA
TALLAHASSEE, FLA

95 MAY -9 AM 11:12

U. S. BANKRUPTCY COURT
Northern District of Florida
DATE ENTERED ON DOCKET:

5/9/95

FILED

ORDERED AND ADJUDGED that:

1. The Chapter 13 Debtor, acting as Debtor in possession, Trustee shall sell following described property owned by the Plaintiff/Debtor, Cedric M. Gillette, and the Defendant, Martha Marie Gillette, as tenants in common, after notice pursuant to 11 U.S.C. Section 363(h):

The South 200 feet of the following described property: Begin at the Northwest corner of the NW 1/4 of the NE 1/4 of Section 8, Township 4 North, Range 10 West, and run South 318 feet for the point of beginning; thence run 210 feet east, thence 420 feet South; thence 210 feet West; thence 420 feet North to the Point of Beginning, in Jackson County, Florida.

2. From the proceeds of the sale, the Debtor as Debtor in possession shall pay the following:

a. satisfy the mortgage of record and any outstanding real property taxes;

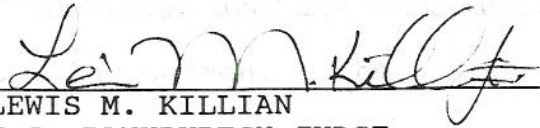
b. the costs incidental to the notice of the Debtor in possession's Intent to Sell jointly owned property and the costs incidental to closing and then divide the remaining proceeds in half;

c. one-half (1/2) of the proceeds shall be deposited into the registry of the Court with the Clerk of the Bankruptcy Court for the benefit of the Defendant, Martha Marie Gillette;

d. the remaining one-half (1/2) of the funds shall be delivered to the Chapter 13 Trustee to administer as assets of the estate from which the trustee shall apply toward all allowed unsecured claims and the trustees fee and


commission. In the event funds remain after the payment of the foregoing, the Trustee shall pay, to the extent proceeds remain, the post petition arrearage due by the Debtor to Southtrust Bank plus the Trustee's commission on such payment.

May
ORDERED and ADJUDGED this 9th day of April, 1995.


LEWIS M. KILLIAN
U.S. BANKRUPTCY JUDGE

I HEREBY CERTIFY that this is a true and correct copy of the original on file in the office of the Clerk, United States Bankruptcy Court for the Northern District of Florida.

LARRY A. PACE, Clerk, Bankruptcy Court

By 
Deputy Clerk

gillette.cpt.